

REMARKS

In accordance with the above amendments, claims 65-66 have been amended. Claims 52-53, 56-59 and 64-66 remain under consideration in this application. No claim has been allowed.

Claims 65 and 66 have been amended to clarify the construction of the atrial and ventricular leads indicating that each can contain "one or more electrodes" and better defines the versatility of the sensing system. It is believed that these amendments also enable claim 59 to overcome the rejection under 35 USC § 112, second paragraph, in the Official Action.

Accordingly, reconsideration and withdrawal of the rejection under 35 U.S.C. 112 is respectfully requested.

As previously indicated, with respect to the rejection of the claims based on the non-statutory double patenting doctrine, the applicants stand ready and willing to provide any necessary Terminal Disclaimer with respect to U.S. Patent 6,169,921 or co-pending Application Serial No. 09/206,329 should claims in this application be otherwise deemed allowable.

As previously indicated, the applicants stand ready and willing to provide any necessary Terminal Disclaimer with respect to USPN 6,169,921 or co-pending application S.N. 09/206,329.

With respect to the rejection on the claims on the merits under 35 USC § 102(e) or (b), as being anticipated, respectively by Silvian (USPN 4,991,583) or Hafner (USPN 5,690,683), these rejections are both respectfully traversed. As previously

indicated, whereas both the Silvian and Hafner et al references disclose certain aspects of the cardiac stimulation/sensing system of the present invention, both fail to recognize the possibility of a system with the versatility of that of the present invention. It is not believed that either of these patents should deprive the present inventors of their significant inventive effort.

Likewise, it is believed that the present claims further distinguish over the cited art applied based on 35 USC § 103.

Entry of the present paper is respectfully requested, particularly inasmuch as it overcomes the rejection under 35 USC § 112, thereby reducing the issues for an appeal.

Reconsideration and allowance of the claims is respectfully requested.

Respectfully submitted,

NIKOLAI & MERSEREAU, P.A.

A handwritten signature in black ink, appearing to read 'C. G. Mersereau', written in a cursive style.

C. G. Mersereau
Registration No. 26,205
820 International Centre
900 Second Avenue South
Minneapolis, MN 55402
Telephone: (612) 339-7461



CERTIFICATE OF MAILING VIA FACSIMILE

I hereby certify that the foregoing Amendment in response to the Official Action of January 19, 2006, in application Serial No. 09/753,738 of inventors, Geng Zhang, et al., filed January 2, 2001, for "AUTOCAPTURE PACING/SENSING CONFIGURATION" and a Transmittal Letter are being sent by facsimile transmission to: Examiner Kennedy Schaetzle, Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on April 19, 2006.

Linda J. Rice
Linda J. Rice
on behalf of C. G. Mersereau
Attorney for Applicant

Date of Signature: April 19, 2006